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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/941,837 | 08/30/2001 | Sang O. Park | K-0318 | 6861 |

34610 7590 04/20/2006

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| EXAMINER |
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VAN HANDEL, MICHAEL P

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| ART UNIT | PAPER NUMBER |
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2623

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/941,837 | Applicant(s) PARK, SANG O. | |
| | Examiner Michael Van Handel | Art Unit 2623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/18/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 1/18/2006. Claims **1-11, 13-31** are pending. Claims **1, 2, 5, 7, 8, 11, 14, 16, 21, 23, and 25** are amended. Claim **12** is canceled. Claims **29-31** are new.

Response to Arguments

1. Applicant's arguments filed 1/18/2006 with respect to claims **1, 5, 8, 11, 16, 21, and 25** have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's arguments filed 1/18/2006 with respect to claims **7, 14, and 23** have been fully considered but they are not persuasive.

In response to applicant's argument with respect to claims **7, 14, and 23** that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., and the address of the Internet Web site exists regarding an item within the at least one interactive region) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Further referring to claims **7, 14, and 23**, the applicant argues that Alba et al. does not suggest changing a color or shape when a cursor is within the at least one interactive region. The examiner respectfully disagrees. Alba et al. teaches changing the shape of a cursor to indicate that further user interaction will result in additional information being displayed (p. 6, paragraph

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93 & Figs. 10A, 10B). Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kitsukawa et al. to include a pointer/cursor that changes configuration to indicate alternate or additional information, such as that taught by Alba et al. in order to facilitate easy access to a wide range of functionality through the combination of a limited number of user interactions (p. 1, paragraph 7).

With further regard to claims 7, 14, and 23, the applicant admits that the cover sheet of Alba et al. references Application No. 09/032,374, filed February 27, 1998, as well as provisional application 60/039,278, filed February 28, 1997; however, the applicant argues that Alba et al. is not prior art to the present application. The examiner respectfully disagrees. Although Alba et al. does not list Application No. 09/032,374 in the first line of the specification, Alba et al. does include U.S. Provisional patent application 60/039,278. Furthermore, the examiner notes that although the application is not currently listed, the specification of Alba et al. can be amended anytime during its pendency to include reference to the prior-filed application (See MPEP 201.11 with regard to 37 CFR 1.78 (2)(i-ii)).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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2. Claims **1-6, 8-11, 13, 15, 21, 22, 24** are rejected under 35 U.S.C. 102(e) as being anticipated by Kitsukawa et al.

Referring to claims **1, 5, 11, and 21**, Kitsukawa et al. discloses an apparatus/method for displaying broadcast information of a television, comprising:

- a broadcast service provider transmitting broadcast signals of each broadcast program including region information and specific information for each region (col. 5, l. 32-37), the region information indicating a region whereby specific information exists (col. 7, l. 16-20, col. 8, l. 31-34 & Fig. 5) and the specific information including a plurality of information data relating to an object included within a specific regions (col. 9, l. 52-58, col. 10, l. 22-25, & Figs. 6, 7);
- a television receiver for receiving the broadcast signals transmitted from the broadcast service provider, video processing the received broadcast signals and displaying them through a screen, and displaying the specific information of a corresponding region when a user selects a certain region on the screen (col. 9, l. 52-58 & Figs. 1-3)
- a user indicating means for searching a region on the screen and selecting a desired region (col. 4, l. 46-54); and
- display means for displaying a video image of the region selected by the user or its specific information (Fig. 6).

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Referring to claims **2**, **3**, **13**, and **22**, Kitsukawa et al. discloses the apparatus according to claims 1 and 11, wherein the television receiver includes:

- a TV controlling means for enabling the user to control TV functions and to select screen regions, wherein the TV controlling means includes a direction key or a track ball for selecting the screen region (col. 4, l. 46-54);
- a video processing unit for video processing the broadcast signals and the specific information corresponding to each region and for displaying the signals and information on the screen (col. 5, l. 46-48);
- a memory unit for storing the region information and the specific information corresponding to each region (col. 5, l. 44-46); and
- a microcomputer for reading, from the memory unit, the specific information corresponding to the region of the screen selected by the user through the TV controlling means with reference to the region information and for outputting the information to the video processing unit (col. 6, l. 9-18).

Referring to claims **4** and **6**, Kitsukawa et al. discloses the apparatus according to claims 2 and 5, respectively, wherein the television receiver further includes an Internet module enabling WEB site information included in the specific information to be read and processed through the screen (col. 8, l. 55-57).

Referring to claims **8** and **30**, Kitsukawa et al. discloses the method/apparatus according to claims 5 and 1, respectively, wherein the step of the user operating an indicating means to search a region on the screen and selecting a desired region includes the steps of:

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- the user pressing a selection key on the indicating means to select the region (col. 10, l. 15-16 & Fig. 7);
- displaying indexes on the regions defined by the region information among the regions of the screen (col. 10, l. 16-25); and
- selecting a desired index from among the displayed indexes (col. 10, l. 25-28).

Referring to claim 9, Kitsukawa et al. discloses the method according to claim 5, wherein the step of displaying a video image of the region selected by the user or its corresponding specific information includes the step of displaying a video image of a region selected by the user on one side of the screen and displaying corresponding video related information on the rest of the screen (col. 9, l. 52-58 & Fig. 6).

Referring to claim 10, Kitsukawa et al. discloses the method according to claim 5, wherein the step of displaying a video image of the region selected by the user or its corresponding specific information includes the step of connecting to an Internet WEB site corresponding to the video image of the selected region and displaying a corresponding screen image (col. 8, l. 49-57).

Referring to claims 15 and 24, Kitsukawa et al. discloses the method/receiver of claims 11 and 21, respectively, further comprising undisplaying the supplemental information from the display screen when a return command is received from the user and redisplaying the image on the display screen (col. 9, l. 61-63 & Figs. 4, 6, and 8).

Claim Rejections - 35 USC § 103

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **7, 14, 23, 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitsukawa et al. in view of Alba et al.

Referring to claims **7, 14, 23, and 29**, Kitsukawa et al. discloses the methods/receiver according to claims 5, 13, 22, and 1, respectively, wherein the step of the user operating an indicating means to search a region on the screen and selecting a desired region includes the step of moving a position of a cursor in accordance with movement of the indicating means (col. 4, l. 46-54).

Kitsukawa et al. does not disclose the step of changing the shape or color of the cursor, when specific information exists in the region of the screen where the cursor is positioned. Alba et al. discloses changing the configuration of a pointer/cursor 110 to indicate alternate or additional information to a user (p. 6, paragraphs 93, 94). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kitsukawa et al. to include a pointer/cursor that changes configuration to indicate alternate or additional information such as that taught by Alba et al. in order to facilitate easy access to a wide range of functionality through the combination of a limited number of user interactions (p. 1, paragraph 7).

5. Claim **16-20, 25-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis in view of Alba et al.

Referring to claims **16**, **25**, and **28**, Kikinis discloses a method/interactive Internet television receiver for providing supplemental information in an Internet television receiver, the method/receiver comprising:

- receiving a broadcasting signal representative of an image, the broadcasting signal including position information of at least one interactive region within the image and an address of an Internet Web site preassigned to the interactive image region (col. 6, l. 33-58 & Figs. 2A-2C, 3A, 3B);
- storing the received position information and the Web address in a memory and displaying the image on a display screen (col. 9, l. 29-35);
- connecting to the Web site based on the stored Web address and receiving contents of the Web site when the interactive image region is selected by a user and displaying the received contents of the Web site on the display screen (col. 7, l. 57-65 & Figs. 2A-2C).

Kikinis does not disclose changing a shape or color of a cursor when the cursor is positioned within the at least one interactive region and the address of the Internet Web site exists regarding an item within the at least one interactive region. Alba et al. discloses changing the configuration of a pointer/cursor 110 to indicate alternate or additional information to a user (p. 6, paragraphs 93, 94). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kikinis to include a pointer/cursor that changes configuration to indicate alternate or additional information such as that taught by Alba et al. in order to facilitate easy access to a wide range of functionality through the combination of a limited number of user interactions (p. 1, paragraph 7).

Referring to claims **17** and **26**, the combination of Kikinis and Alba et al. teaches the method/receiver of claims 16 and 25, respectively, wherein the Internet Web site includes one or more Internet Web pages related to an object included in the interactive region (Kikinis col. 8, l. 1-22 & Fig. 2C).

Referring to claims **18** and **27**, the combination of Kikinis and Alba et al. teaches the method/receiver of claims 16 and 25, respectively, wherein the address of the Internet Web site is a uniform resource locator (URL)(Kikinis col. 7, l. 14-17 & Figs. 2A, 2C).

Referring to claim **19**, the combination of Kikinis and Alba et al. teaches the method of claim 16, wherein the user selects the interactive image region by locating a moveable cursor within the interactive image region and entering a selection command via a television (TV) control unit (Kikinis col. 7, l. 57-67 & Figs. 2A, 2C).

Referring to claim **20**, Kikinis discloses the method of claim 16, further comprising:

- undisplaying the supplemental information from the display screen when a return command is received from the user; and
- redisplaying the image on the display screen (Kikinis col. 8, l. 1-22).

6. Claim **31** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis in view of Alba et al. and further in view of Kitsukawa et al.

Referring to claim **31**, the combination of Kikinis and Alba et al. teaches the method of claim 16. The combination of Kikinis and Alba et al. does not teach displaying a plurality of indexes and selecting one of the indexes, wherein each index corresponds to one of a plurality of interactive image regions having an associated address of an Internet web site. Kitsukawa et al.

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discloses selecting an advertising mark, displaying a plurality of interactive advertising information links corresponding to objects in the display, and selecting one of the links (col. 10, l. 16-28 & Fig. 7). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Kikinis and Alba et al. to include displaying a plurality of selectable advertising information links corresponding to objects in the display, such as that taught by Kitsukawa et al. in order to allow a viewer to quickly and easily access information about products in TV transmissions (Kikinis col. 2, l. 56-59).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571.272.7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Note to Applicant

Art Units 2611, 2614 and 2617 have changed to 2623. Please make all future correspondence indicate the new designation 2623.

Michael Van Handel
Examiner
Art Unit 2623

MVH



**VIVEK SRIVASTAVA
PRIMARY EXAMINER**